

Permanent Forum on Indigenous Issues (PFII) 2016 Session

Agenda Item 4: Implementation of the Six Mandates Areas of the PFII with Reference to the UN Declaration (Health, Education, Human Rights, Economic and Social Development, Environment, and Culture)

U.S. Statement, delivered by Lawrence Roberts

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Tuesday, May 10, 2016

Thank you. I'm Lawrence Roberts, Acting Assistant Secretary for Indian Affairs at the Department of the Interior and an indigenous member of the delegation – a citizen of the Oneida Nation. This Permanent Forum session takes place during the Obama Administration's final year, offering us a chance to take stock of our progress with tribal leaders and chart the way forward in collaboration with tribal leadership to improve indigenous peoples' lives and foster safe, prosperous, and resilient indigenous communities.

Domestically, our North Star on tribal issues is self-governance and tribal self-determination. We know that when we respect the sovereignty of tribes, good things happen. This Administration embraces Executive Order 13175, regularly consulting with tribes on policies affecting them, and working closely with them to correct misguided federal policies of previous eras. We greatly respect the insights of tribal leaders and others in consultations, especially as the United States works to fulfill the commitments in the World Conference outcome document.

As a tribal citizen, I am honored to work for President Obama – the only President that has met every year with tribal leaders, and a President that made a historic visit to the Standing Rock Indian Reservation. The President's seventh White House Tribal Nations Conference was held in December 2015. At the

conference, the President, members of his Cabinet, and other senior officials held in-depth discussions with tribal leaders. Tribal leaders themselves identify the priority topics, which inform the discussion. These include strengthening the nation-to-nation relationship; restoring tribal homelands; providing healthcare; economic and infrastructure development; protecting natural resources; repatriating cultural heritage and protecting sacred sites; climate change and natural disaster mitigation; and ensuring safe homes and communities. Starting in 2014, a session on International Affairs was added to these annual meetings, reflecting the growing importance of UN and other international mechanisms for indigenous peoples.

Recovering and protecting tribal land is a hallmark priority of this Administration. We have set a goal of taking 500,000 acres of land into trust on behalf of Indian tribes. This Administration has restored over 413,000 acres for tribes and processed more than 2,100 separate requests from tribes.

The Administration has also prioritized settling contentious litigation with tribes. We have settled more than 80 tribal cases alleging the United States' breach of trust to tribes. We paid \$940 million to tribes to settle the Ramah litigation. This Administration's approach to settle contentious litigation began with the landmark settlement with the late Eloise Cobell and individual Indians that established a \$1.9 billion fund that is being used to purchase land interests and return those lands to tribal ownership. To date, we have paid more than \$740 million to individual indigenous landowners and restored the equivalent of nearly 1.5 million acres of land to tribal governments.

President Obama's Executive Order establishing the White House Council on Native American Affairs promotes a stronger nation-to-nation relationship with tribes. The Council is chaired by Secretary Jewell of the Department of the

Interior and includes the heads of U.S. government departments, agencies, and offices. This allows for improved high-level coordination among Federal agencies to better serve Indian Country on the issues important to them. The Council has hired an Executive Director, which is a full-time permanent position, helping to create continuity and permanence for the Council.

In December 2014, the President announced the Generation Indigenous Initiative. During a visit to the Standing Rock Sioux Tribal Nation, he heard firsthand about how Native American youth face poverty, homelessness, alcoholism, and suicide. Under Generation Indigenous, the U.S. government is coordinating efforts across several agencies to address issues that affect native youth, including education and health.

Our policy of tribal self-determination and self-governance extends to education of indigenous children. We acknowledge the intergenerational harm caused by the forced removal of children from their homes and placement in boarding schools with the express purpose to eradicate tribal language and culture. This ended in the 1960s and today, under our current policies, the majority of Bureau of Indian Education schools are run by tribes. This Administration is redesigning the Bureau of Indian Education from a direct provider of education into an innovative organization that will serve as a capacity-builder and service-provider to tribes.

We know that unemployment and poverty in Indian Country is often generational and that education is key for escaping that cycle of poverty. As such, the Obama Administration has increased investments for Bureau of Indian Education schools, the Substance Abuse and Mental Health Services Administration; the Administration on Children and Families efforts on child

welfare, leadership development, Native American language instruction; and the Department of Education's Native Youth Community Projects to prepare Native youth for higher education.

Internationally and domestically, the United States seeks to achieve the ends of the Declaration on the Rights of Indigenous Peoples and recognizes that indigenous peoples are critical partners in advancing sustainable development and conservation efforts as well as mitigating the effects of climate change. We are taking steps to ensure that our foreign assistance improves indigenous peoples' lives and strengthens traditional resource management strategies.

Looking ahead, we are pleased that UN processes are underway to address the four main priorities of the United States and tribal governments in the United States, and we encourage all stakeholders to maintain the momentum.

-- On enhanced participation of indigenous peoples at the UN, the United States submitted written input to the four advisers appointed by the President of the General Assembly. We appreciate the input we received from U.S. indigenous peoples at the consultations we have held on this subject since the World Conference, and welcome responses to our ideas at the May 11 and May 18 consultations.

-- On reforming the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, we appreciate the extraordinarily fruitful discussion among experts, states, and indigenous representatives at the Office of the High Commissioner for Human Rights' April expert workshop, including the helpful feedback others provided on our proposals. That input has helped us refine our proposals, and we look forward to continued discussion of EMRIP reform at the July EMRIP session and the

Human Rights Council session this September, where we hope states will be in a position to come to consensus on a resolution reforming the mandate.

-- Although the topic of violence against indigenous women was not designated as a priority theme in the Commission on the Status of Women's 2016 Multi-Year Programme of Work for 2017-2019, the resolution adopted by the Commission this March has identified it as a focus area for the CSW March 2017 session. In addition, the June 2016 Human Rights Council's draft resolution on violence against women will be devoted to indigenous women.

-- At the May 13 discussion on international repatriation of sacred and culturally significant objects, experts from the U.S. government will speak on domestic protections as well as international aspects of the subject.

Let me close with some noteworthy announcements.

-- Karen Diver, the Special Assistant to the President for Native American Affairs and former chairwoman of the Fond du Lac Band of Lake Superior Chippewa, will be present along with other U.S. delegation members at a May 10 listening session for U.S. indigenous peoples.

-- For the first time, the United States nominated a candidate to serve as a PFII member. We are pleased that Brian Keane, Advisor for Indigenous Peoples for the U.S. Agency for International Development Administrator, was elected as a PFII member for the 2017-2019 term.

-- We hope to see many of you at the U.S.-hosted side event on "Environmental Justice and Indigenous Peoples," which will take place at the U.S. Mission on Thursday, May 12 starting at 1:15 pm.

Thank you for your attention. Our delegation looks forward to interacting with many of you throughout this PFII session.